


Chairman Linda W. Cropp

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to Congressional review, Chapter 3 of Title 47 of the District of Columbia Official Code to provide a procedure to transfer certain "Other-Type" funds within the District of Columbia to the General Fund of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Other-Type Funds Congressional Review Emergency Act of 2002".

Sec. 2. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding the subchapter designation "Subchapter IV-A. Transfer of Dedicated Funds to the General Fund." after the subchapter designation "Subchapter IV. Reprogramming Policy."

(b) A new Subchapter IV-A is added to read as follows:

"SUBCHAPTER IV-A. TRANSFER OF DEDICATED FUNDS TO THE GENERAL FUND.

"§ 47-368. Transfer of dedicated funds to the General Fund.

"(a) For the purposes of this section, the term "Other-Type funds" means funds generated from fees, fines, assessments, or reimbursements by District of Columbia entities, earmarked for special purposes and accounted for or placed in a fund for such purposes.

"(b) Notwithstanding any other provision of law, including the dedication of funds to a

particular use, all or part of the balance in an Other-Type fund may be transferred to the General Fund of the District of Columbia for fiscal year 2002 in accordance with the procedure set forth in subsection (c) of this section.

"(c) The Mayor, in consultation with the Chief Financial Officer of the District of Columbia, may submit to the Council for approval a resolution requesting the transfer of all or part of the balance in an Other-Type fund to the General Fund of the District of Columbia. The resolution shall include, for each agency affected: (1) the Chief Financial Officer's certification that the proposed transfer of funds are not prohibited by federal action, court order, or settlement and that funds have not been properly identified as deferred revenue or restricted fund balance; (2) the purpose of the Other-Type fund; (3) the original fiscal year 2002 budget and year-to-date expenditures for the Other-Type fund; (4) the accumulated balance of the Other-Type fund; (5) the previous 2 fiscal years' budget and spending pattern for the Other-Type fund; (6) the collection in the Other-Type fund for the previous 2 fiscal years; and (7) the effect that the approval of the transfer of the Other-Type funds to the General Fund of the District of Columbia will have on service delivery. The resolution shall be deemed approved if no written notice of disapproval is filed with the Secretary to the Council within 14 days of the submission of the resolution or no oral notice of disapproval is given during a meeting of the Council within 14 days of the submission of the resolution. If a notice of disapproval is filed or given and the Council does not approve or disapprove the resolution within 30 days of the submission, the resolution shall be deemed approved."

Sec. 3. Fiscal impact statement.

This act is intended to redirect funds to the General Fund of the District of Columbia.

Where funds are reallocated and may be recognized as additional revenue within the District of Columbia, this act will have a positive effect on the District of Columbia's gross budget. In all other cases, this act will have no budgetary impact on the gross budget of the District of Columbia.

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning October 21, 2002, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).